

1
2
3
4
5
6 **UNITED STATES DISTRICT COURT**
7 **DISTRICT OF NEVADA**

8 UNITED STATES OF AMERICA,) 3:16-CR-067-MMD-(WGC)
9 Plaintiff,)
10 v.) Final Order of Forfeiture
11 JAMES FRANK MARTIN,)
12 Defendant.)

13 The United States District Court for the District of Nevada entered a Preliminary Order of
14 Forfeiture pursuant to Fed. R. Crim. P. 32.2(b)(1) and (2) and Title 18, United States Code,
15 Section 924(d)(1) with Title 28, United States Code, Section 2461(c) based upon the plea of
16 guilty by defendant JAMES FRANK MARTIN to the criminal offense, forfeiting the property
17 set forth in the Plea Agreement and the Forfeiture Allegation of the Indictment and shown by the
18 United States to have the requisite nexus to the offense to which defendant JAMES FRANK
19 MARTIN pled guilty. Indictment, ECF No. 1; Change of Plea, ECF No. 23; Plea Agreement,
20 ECF No. 24; Preliminary Order of Forfeiture, ECF No. 29.

21 This Court finds the United States of America published the notice of forfeiture in
22 accordance with the law via the official government internet forfeiture site, www.forfeiture.gov,
23 consecutively from February 23, 2018, through March 24, 2018, notifying all potential third
24 parties of their right to petition the Court. Notice of Filing Proof of Publication, ECF No. 41.

25 This Court finds no petition was filed herein by or on behalf of any person or entity and
26 the time for filing such petitions and claims has expired.

1 This Court finds no petitions are pending with regard to the assets named herein and the
2 time for presenting such petitions has expired.

3 THEREFORE, IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that all
4 right, title, and interest in the property hereinafter described is condemned, forfeited, and vested
5 in the United States of America pursuant to Fed. R. Crim. P. 32.2(b)(4)(A) and (B); Fed. R.
6 Crim. P. 32.2(c)(2); Title 18, United States Code, Section 924(d)(1) with Title 28, United States
7 Code, Section 2461(c); and Title 21, United States Code, Section 853(n)(7) and shall be disposed
8 of according to law:

- 9 1. a Smith and Wesson MP Body Guard .380 caliber pistol bearing serial number
10 KCM0767;
11 2. a Mossberg 12 gauge shotgun bearing serial number R778988; and
12 3. any and all ammunition.

13 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that any and all forfeited
14 funds, including but not limited to, currency, currency equivalents, certificates of deposit, as well
15 as any income derived as a result of the United States of America's management of any property
16 forfeited herein, and the proceeds from the sale of any forfeited property shall be disposed of
17 according to law.

18 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Clerk send copies
19 of this Order to all counsel of record.

20 DATED this 25th day of May, 2018.

21
22
23 

24 UNITED STATES DISTRICT JUDGE
25
26